

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 17-20363

PAULIN MODI,

Defendant.

ORDER DENYING MOTION TO VACATE ORDER OF REASSIGNMENT

Defendant Paulin Modi was charged by information on May 30, 2017. (Dkt. # 1.)

On June 7, 2017, the case was reassigned to this court from Judge Stephen Murphy.

(Dkt. # 4.) Judge Murphy and the undersigned judge determined that the Modi indictment appeared to be a companion case to this court's earlier case, Case No. 16-20732. Defendant now seeks an order vacating the Order Regarding Reassigning Companion Case. (Dkt. # 14.)

Modi argues that the instant case is not a companion case because it does not involve substantially similar evidence, nor involve the same or related parties and arise out of the same transaction or occurrence. But those questions, and others, were considered by the affected judges who ultimately determined that transfer would serve the interest of judicial economy. Judges often enough transfer cases for the sake of economy as provided for in E.D. Mich. LR 57.10. The mutual consent of the assigned judges is required; there is no provision in the Rule for Defendant Modi to contest or reargue this point.

Modi's motion is more closely equivalent to a motion to sever under Federal Rule of Criminal Procedure 14—alleging that the weight of the evidence goes to the other defendants, and so on. The court is not convinced in either event. Accordingly,

IT IS ORDERED that Defendant's motion to vacate (Dkt. # 14) is DENIED.

IT IS FURTHER ORDERED that the United States' motion to strike Defendant's motion (Dkt. # 15) is TERMINATED AS MOOT.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 15, 2017

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, August 15, 2017, by electronic and/or ordinary mail.

s/Julie Owens
Acting in the absence of Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522